

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

MONDAY, THE 25TH JUNE 2007 / 4TH ASHADHA 1929

WP(C).No. 19408 of 2007(S)

PETITIONER:

SREERAMAN KOYYON, ORGANIZING SECRETARY,
ADIVASI GOTHRA SABHA, AGED 38 YEARS,
S/O KOTTAN, MUTTUKANDI P.O., PAYANGADI,
KANNUR-670303.

BY ADV. SRI.A.X.VARGHESE
SRI.A.V.JOJO

RESPONDENTS:

1. STATE OF KERALA, REP. BY ITS
CHIEF SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM.
2. THE DISTRICT COLLECTOR, KANNUR.
3. THE CHIEF,TRIBAL RESETTLEMENT &
DEVELOPMENT MISSION,(TRDM) CO-
BANK TOWERS BUILDING, VIKAS BHAVAN P.O.,
THIRUVANANTHAPURAM.

BY SENIOR GOVERNMENT PLEADER FOR SC & ST SRI. SANTHOSH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
25/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L. DATTU, C.J. & K.T. SANKARAN, J.

.....
W.P(C) No. 19408 OF 2007
.....

Dated this the 25th June, 2007

J U D G M E N T

H.L. Dattu, C.J.:

Petitioner is the Secretary of an organisation. It is exposing the cause of landless tribals throughout the State of Kerala. It has approached this court by filing this Writ Petition, inter alia seeking a mandamus to the second respondent, District Collector, Kannur to exclude the ineligible occupants from the list of occupants for distribution of land in the Aralam Farm and secondly to retain the eligible occupants in the Aralam Farm as prescribed in Exhibit P6 list.

2. It is the case of the petitioner's organisation before us that, immediately after the disposal of Writ Petition No.12859 of 2006, petitioner has filed representations before the second respondent to exclude the ineligible occupants from the list of occupants for distribution of land and also to retain the names of eligible occupants in the list prepared. According to the petitioner, petitioner has filed representations before the District Collector on 31.03.2007, 04.04.2007 and 07.04.2007.

3. We do not dispute the representations so filed by the petitioner. But in our view, before rushing to this court, the petitioner ought to have reminded the second respondent and ought to have requested the second respondent to look into its grievances and pass appropriate orders. That

has not been done in the present case. Therefore, for the present, we are not inclined to entertain this Writ Petition. Accordingly, the Writ Petition requires to be disposed of and it is disposed of.

4. Liberty is reserved to the petitioner's organisation, if it so desires, to make a request to the second respondent to consider the representations filed by it and pass appropriate orders as early as possible. If, for any reason, it fails in its attempt, petitioner is at liberty to approach this court once again. At this stage, learned counsel for the petitioner, Shri A.X. Varghese would submit that the second respondent may take proceedings to evict the eligible occupants from the plots in their possession. If there is such a threat of eviction, then also, the petitioner is at liberty to approach this Court by filing appropriate Writ Petition.

Ordered accordingly.

**H.L. DATTU,
CHIEF JUSTICE.**

**K.T. SANKARAN,
JUDGE.**